

November 3, 2005

PRESENT: Dr. Charles W. Curry, Chairman
Charles C. Schooley, Vice Chairman
William Bashaw
Bruce M. Bowman
Kitra A. Shiflett
Larry C. Howdyshell
Betty Jo Hamilton
Mark Grove
Garland Martin
Dale L. Cobb
Beatrice B. Cardellicchio-Weber

OTHERS PRESENT: Tom Stanley, Extension Office
Steve Rosenberg, County Attorney

ABSENT: Clay Hewitt
Larry Shiflett

VIRGINIA: Meeting of the Agricultural Task Force Committee held on Thursday, November 3, 2005, at 7:00 P.M., in the County Government Center, Verona, Virginia.

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Chairman Curry asked if there was a motion or any changes on the minutes of the October 31, 2005 meeting?

Mr. Bashaw stated that on page eleven finding #15 and finding #16 were combined.

Mr. Bowman moved to approve the minutes as amended.

Mr. Martin seconded the motion, which carried unanimously.

Chairman Curry stated that there were no items in the suggestion box.

Mr. Rosenberg stated that Virginia uses the Dillon Rule. He stated that if there are no prior decisions on a law it is considered a gray area. He stated that an alternative septic systems ban seem to address the issue when it comes to subdividing but there is no court decision on this. He stated that it would be difficult to give a firm conclusion if there is not a prior decision.

Mr. Bashaw asked what happens if the County decided to push their position with the Dillon Rule and ignore legal advice?

Mr. Rosenberg stated that it would be a decision of the Virginia Supreme Court. He stated that in 1999 the Augusta County Board of Supervisors went to trial with Countryside.

Mr. Bashaw asked if the County won?

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Mr. Rosenberg stated that they lost. He stated that when the County creates an ordinance that they can enforce the wording needs to be considered carefully. He stated that land use would have to be studied.

Mr. Bashaw asked if he had a recommendation of stopping development on agricultural land?

Mr. Rosenberg stated that even if the requirements under family member exception did not change an affidavit could be done along with some other measures.

Mr. Bashaw asked if the County can be limited as to who uses family member exception?

Mr. Rosenberg stated yes. He stated that the County would have to be a high growth County.

Mr. Cobb asked if family member exception could be eliminated totally?

Mr. Rosenberg stated family member exception is not required because Augusta County is a high growth County.

Mr. Rosenberg stated that when the Census gets completed in 2010 if Augusta County would no longer be a high growth County then the family member exception rule would have to be reinstated, but under the current growth rates it could be eliminated.

Mr. Rosenberg stated that in the memo one of the questions that were addressed was creating sliding scale zoning not on permanent number of lots per tract but per acreage. He stated that this is a gray area. He stated that Clarke and Montgomery Counties have sliding scale and they have not been challenged. He stated that there are comfort in numbers. He stated that the state code states that localities can cluster zone. He read from the code: "A locality may, at its option, provide in its zoning or subdivision ordinance standards, conditions and criteria for clustering of single-family dwellings and the preservation of open space developments. In establishing such standards, conditions and criteria, the governing body may, in its discretion, include any provisions it determines appropriate to ensure quality development, preservation of open space and compliance with its comprehensive plan and the land use ordinances. The density calculation of the cluster development shall be based upon the same criteria for the property as would otherwise be permitted by applicable land use ordinances. As a locality determines, at its option, to provide for clustering of single family dwellings and the preservation of open space developments, it may vary provisions for such development for each different zoning area within the locality."

Mr. Rosenberg stated that Loudoun County is doing this but he is not familiar with the details. He stated that this could be another tool that the committee looks at.

Chairman Curry stated that if they recommend sliding scale under acreage this will get the job done under the cluster zoning.

Mr. Rosenberg stated that he could get in touch with his counterparts from Loudoun County to ask what they are doing.

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Chairman Curry thanked Mr. Rosenberg for attending the meeting. He stated that the committee would continue reviewing the report.

Finding # 36

All real property is put into a classification for real estate tax purposes. Residences, farm buildings, business buildings, and storage buildings are all in the same class and must be taxed at the same rate by localities. To have different tax rates for different types of buildings would require a change in the Code of Virginia.

Mr. Martin moved that finding #36 be approved, which carried unanimously.

Recommendation #36a

The local government should continue to vigorously lobby for a revision of the real estate tax code that would place the tax burden more appropriately on residences because residences house people and services are provided to people and not to farm animals or machinery.

Ms. Hamilton moved that recommendation #36a be approved, which carried unanimously.

Finding # 37

A host of potentially devastating diseases such as avian influenza, West Nile virus, and mad cow disease threaten catastrophic economic loss.

Chairman Curry stated that staff should get the correct wording from Mr. Bowman on this finding.

Mr. Bowman moved that the finding be approved, which carried unanimously.

Chairman Curry asked Mr. Stanley if he would be able to provide support data on this finding.

Finding # 38

Farmers have always been at the mercy of severe and unpredictable weather conditions but escalating capital investment requirements and shrinking profit margins have increased the impact of weather conditions in recent years.

Chairman Curry stated that this finding does not have any support data either. He asked if Mr. Stanley could get the support data for this finding.

Ms. Shiflett moved that finding #38 be approved, which carried unanimously.

Finding # 39

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Augusta County is the number one beef cow/calf-producing county and the number three sheep-producing county in Virginia and predators such as coyotes and vultures are a major threat to profitable livestock production.

Chairman Curry asked Mr. Stanley if he could double check the wording in finding #39.

Ms. Shiflett moved to approve finding #39 to add free ranging dogs after vultures. The motion carried unanimously.

Recommendation #39a

The county government should start a local County program to control coyotes and vultures.

Mr. Cobb stated that the County already has a bounty system in place.

Vice Chairman Schooley asked when it will take place?

Mr. Cobb stated January 1st.

Chairman Curry stated that recommendation #39a could be rolled together with recommendation #39b.

Recommendation #39b

The county government should implement a bounty system to control coyotes and monitor its effectiveness.

Mr. Bowman moved to change the recommendation to read: The county government should implement an effective predator control program and monitor its effectiveness. The motion carried unanimously.

Finding #40

Intensive agriculture practices, which are essential for efficient and competitive agricultural production, are targeted for criticism by animal rights groups and nonagricultural residents who prefer pristine view sheds to huge agricultural buildings.

Ms. Shiflett stated that this is a true statement.

Mr. Grove stated that there is no argument with this finding.

Mr. Bashaw moved that the finding be approved, which carried unanimously.

Finding # 41

An anti-agriculture sentiment exists within Augusta County.

Ms. Shiflett stated that this cannot be proven. She stated that in fact the survey results disprove the statement.

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Ms. Shiflett moved that this be deleted.

Mr. Grove moved that the wording be changed to pro-agriculture instead of anti-agriculture.

Ms. Shiflett withdrew her motion.

Mr. Grove's motion carried unanimously.

Mr. Cobb stated that finding #41 would be supported by the final results memo on the Comprehensive Plan.

Finding # 42

Inaccurate use of data and statistics in the media through opinion editorials and other media releases have often gone unchallenged due to the lack of spokespersons for the farming community.

Chairman Curry stated that this finding has no support data.

Ms. Hamilton moved that finding #42 be approved, which carried unanimously.

Finding # 43

The agricultural community often interprets local government decisions that rezone agricultural land for nonagricultural use while supporting agriculture with taxing decisions as giving mixed signals.

Chairman Curry stated that this finding has no support data as well.

Mr. Bashaw moved to approve finding #43. Two committee members voted to approve the request, four were in opposition, and two abstained from the vote. The committee moved on to the next finding.

Finding # 44

The public perception of agriculture is not as positive as it should be based on the significant revenue contributions made by agriculture and the positive impact that farming has on the county budget. Agriculture produces a disproportionately high share of the county revenue and uses a disproportionately low share of the cost for services.

Mr. Cobb stated that this is true when agriculture is compared to residential. He stated that for business and industrial this statement is not true.

Ms. Shiflett moved to approve finding #44 to read: The public perception of agriculture is not as positive as it should be based on the significant revenue contributions made by agriculture and the positive impact that farming has on the county budget. Agriculture produces a disproportionately high share of the county revenue compared to residences and uses a disproportionately low share of the cost for services. The motion carried unanimously.

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Finding # 45

While negative criticisms of agricultural nuisances, intensive agricultural practices, and so-called tax breaks for farmers abound, non-farm residents continue to demonstrate a strong appreciation for the agricultural industry.

Mr. Bashaw moved that finding #45 be approved to read: While criticisms of agricultural nuisances, intensive agricultural practices, and so-called tax breaks for farmers exist, non-farm residents continue to demonstrate a strong appreciation for the agricultural industry. The motion carried unanimously.

Ms. Hamilton moved that the committee reconsider finding #41 and that it be omitted. The motion carried unanimously.

Recommendation #45a

Tax facts and other information that present an accurate perception of county revenue contributed by the agricultural industry should be broadcast to the public by the county government staff.

Ms. Shiflett moved that recommendation #45a be approved, which carried unanimously.

Recommendation #45b

The county government should be proactive with media releases that rebut inaccurate public opinion of agriculture and other local government issues.

Ms. Shiflett stated that she does not think it is the County's role to do this.

Mr. Howdyshell stated that it should be left to the Agriculture Industry Council to do this.

Ms. Hamilton stated that she agrees.

Mr. Howdyshell stated that this recommendation should be deleted.

Mr. Martin stated that he agrees.

Mr. Bashaw moved that the recommendation be changed to replace the county government with the Director of Agriculture Development. The motion carried unanimously.

Recommendation #45c

The Augusta County Farm Bureau Federation and other agriculture support agencies and organizations should establish initiatives within the agriculture community to build consensus on major agricultural issues.

Ms. Hamilton stated that recommendation #45c should be amended to read: The agriculture support agencies and organizations should work with the Agriculture Industry Council to build consensus on major agricultural issues. The motion carried unanimously.

Finding #46

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The escalation of residential development in agricultural zones and the growing size of more efficient farm equipment have resulted in conflict on rural highways between large, slow farm equipment and residential traffic.

Chairman Curry asked Mr. Stanley if he could try and get some support data on this finding.

Ms. Shiflett stated that some of the accidents involving farm machinery are not reported. She moved finding #46 be approved, which carried unanimously.

Chairman Curry read two new recommendations that could be listed for finding #46:

- a) The County government should assure that the preservation of agricultural land is given a high priority when negotiating the design of secondary, primary, and interstate road improvement plans.
- b) The County government should give priority to improving, widening, and paving unimproved roads in Exclusive Agriculture zones where large farm equipment and residential traffic have created unsafe highway conditions.

Ms. Shiflett stated that this will attract more residences.

Chairman Curry stated that the County does have input on secondary roads.

Mr. Howdyshell stated that if a road is not built to VDOT specifications then it is not taken into the system.

Mr. Bashaw moved to add recommendation #46a to the recommendations. Seven of the committee members agreed with one abstaining.

There was no action taken on recommendation #46b.

Finding # 47

Farmers have become a prime target by environmentalists. When the source of environmental pollution is difficult to pinpoint it is often assumed that the obvious spreading of organic plant nutrients, use of commercial fertilizers, intensive agricultural practices, and ranging livestock are likely sources.

Chairman Curry stated there is no support data for this finding. He asked if Mr. Stanley could produce that data.

Ms. Hamilton moved that finding #47 be approved to read: Agriculture has become a target of environmentalists, however, Augusta County farmers are exceeding acceptable conservation practices. The motion carried unanimously.

Recommendation #47a

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The Sustainable Agriculture Advisory Committee should design, publish, and distribute educational brochures and fact sheets that educate the non-farm public on agricultural production practices.

Ms. Hamilton stated that the Sustainable Agriculture Advisory Committee should be changed to read the Agriculture Industry Council. She stated that the public should be educated on agricultural production and conservation practices.

Mr. Grove stated that brochures should be given to the public.

Mr. Cobb stated that when someone applies for a building permit that is what is being done.

Mr. Grove moved to approve recommendation #47a to read: The Agriculture Industry Council should design, publish, and distribute educational brochures and fact sheets that educate the non-farm public on agricultural production and conservation practices. The motion carried unanimously.

Finding # 48

A void exists in Augusta County's ability to educate the non-farming public to the reasons why the agricultural industry is essential to the local economy, the balance of economic resources, the public welfare, and maintaining a reasonable tax rate.

Chairman Curry stated that this finding does not have any support data.

Mr. Bashaw added quality of life to finding #48.

Ms. Hamilton moved to approve finding #48 to read: A void exists in Augusta County's ability to educate the non-farming public to the reasons why the agricultural industry is essential to the local economy quality of life, the balance of economic resources, the public welfare, and maintaining a reasonable tax rate. The motion carried unanimously.

Finding # 49

The number of farmers is in a minority when compared to most professions and have traditionally been a private group that prefers governments to leave them alone to enjoy and perform their profession. Active participation in legislative activity, industry promotion, education of the public, and professional organizations is limited and has resulted in a lack of spokespersons for agriculture and legislative involvement.

Ms. Shiflett moved that the finding should be approved to read: Farmers traditionally have been a private group that prefer the government to leave them alone to enjoy and perform their profession. Active participation in legislative activity, industry promotion, education of the public, and professional organizations is limited and has resulted in a lack of spokespersons for agriculture and legislative involvement. The motion carried unanimously.

Recommendation #49a

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An Agricultural Program Coordinator should be employed to provide leadership and coordination for sustaining agriculture programs and for improving economic viability.

Chairman Curry stated that he has a lot of information on job duties for the Director of Agriculture Development.

Mr. Howdyshell stated that the committee has already recommended some duties.

Ms. Shiflett moved that the recommendation be approved to read: The Director of Agriculture Development should be employed to provide leadership and coordination for sustaining agriculture programs and for improving economic viability. The motion carried unanimously.

Recommendation #49b

The county Agricultural Program Coordinator should design and implement a plan to provide coordination, consensus building, legislative activity, agriculture promotion, public education, and professional organization activity by agricultural related organizations, such as, the Augusta County Farm Bureau Federation, Agricultural Committee of the chamber of Commerce, Augusta County Fair, Valley Conservation Council, Extension Service, Soil Conservation Service, Farm Service Agency, FFA, 4-H, Augusta County Young Farmers, and Augusta Community Partnership. This person should be the central person that people go to with agricultural questions. See Appendix I for contact persons for Agricultural Program Coordinator.

Recommendation #49c

Implementation needs to be government driven. The farming community needs to be proactive but without the services of an Agricultural Program Coordinator this is not likely to happen. Rockingham County conducted a similar study and they are still waiting for the farming community to act and create an Agricultural Advisory Committee. "It is hard for a farmer to set time aside and get started" (Rhonda Henderson, Director of Planning, Rockingham County).

Ms. Shiflett stated that the committee does not need all of these recommendations.

Chairman Curry stated that there needs to be some structure with a committee and a director.

Mr. Cobb stated that is where Rockingham County fell short.

Ms. Hamilton stated that a new finding should be added. The new finding will be 48.1 to read: The Agricultural Task Force studied other counties that were trying to do the same task and they were not able to follow through with their recommendations. The motion carried unanimously.

Ms. Hamilton stated that recommendation #49c should be changed to read: The services of a Director of Agriculture Development will provide Augusta County farmers a resource to address questions and needs. She stated that this recommendation should be moved under the new finding. The motion carried unanimously.

Ms. Shiflett stated that recommendation #49b should be omitted.

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Ms. Shiflett moved that recommendation #49a should be combined with 48.1a. The motion carried unanimously.

Recommendation #49d

The Board of Supervisors, School Board, and Extension Service should vigorously support agriculture education and youth programs. New and innovative programs should be implemented that would encourage young people to develop entrepreneurship skills, learn from mentors in the agri-business community, and create new and diverse agriculture enterprises in areas like agri-entertainment and agri-tourism, and niche specialty markets.

Ms. Hamilton moved to approve recommendation #49d, which carried unanimously.

Recommendation #49e

A Sustainable Agricultural Program Advisory Committee should also make recommendations on which State and Federal agriculture management, conservation, and preservation programs should be implemented in Augusta County, on criteria for a purchase of development rights program, and on implementation procedures for sustaining agricultural programs.

Ms. Shiflett stated that the committee should state that an Agriculture Industry Council be created. She moved that recommendation #49e read: An Agriculture Industry Council should be created to make recommendations on which State and Federal agriculture management, conservation, and preservation programs should be implemented in Augusta County, on criteria for a purchase of development rights program, and on implementation procedures for sustaining agricultural programs. The motion carried unanimously.

Recommendation #49f

The county government should encourage colleges and universities to include coursework on rural planning and agricultural development in community development and planning curriculums.

Mr. Bashaw moved that recommendation #49f be approved, which carried unanimously.

Recommendation #49g

Tax facts and other information that present an accurate perception of county revenue contributed by the agricultural industry should be broadcast to the public by the county government staff.

Chairman Curry stated that this duplicates #45a, therefore, it should be deleted.

Recommendation #49h

The county government should be proactive with media releases that rebut inaccurate public opinion of agriculture and other local government issues.

The committee had not action on #49h.

Recommendation #49i

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Road signs should be constructed on primary roads at the entrance to Exclusive Agriculture zones and Agricultural and Forestal Districts that indicate agriculture production is a priority in this area.

Mr. Howdyshe stated that there is enough signs on the highway.

Ms. Shiflett stated that it would be nice to identify those areas.

Mr. Bashaw stated this recommendation should be deleted. Recommendation #49i was deleted.

Finding # 50

Augusta County is fortunate to have a full range of education and support services available in the area.

Ms. Hamilton moved that finding #50 be approved, which carried unanimously.

Finding # 51

Agriculture education provided by the public schools in middle and secondary grades and to adults through young farmer programs is considerably weaker than during previous years. Competition from increased academic graduation requirements, changes in class scheduling, and emphasis on standardized testing requirements have taken a toll on agricultural education provided by the public schools.

Ms. Shiflett stated that she would include the wording participation under the finding.

Ms. Hamilton moved that finding #51 be approved to read: Competition from increased academic graduation requirements, changes in class scheduling, and emphasis on standardized testing requirements have taken a toll on participation in agricultural education provided by the public schools. The motion carried unanimously.

Finding # 52

The Augusta County Agricultural Fair continues to provide an educational opportunity for the non-farm community but compared to other localities such as Rockingham, Shenandoah, and Clarke Counties the Augusta County Fair is far less successful.

Ms. Hamilton stated that these are two separate findings. She moved that finding #52 be approved to read: The Augusta County Agricultural Fair continues to provide an educational opportunity for the non-farm community. The motion carried unanimously.

Ms. Hamilton moved that there be a new finding #52.1 to read: The Augusta County 4H & FFA helps make the Augusta County Market Animal Show the largest of its kind east of the Mississippi. The Market Animal Show is in its 61st year and enjoys significant support from the Hewitts and a number of civic groups including Ruritan, Rotary, and Chambers of Commerce from across the County. The motion carried unanimously.

Ms. Hamilton moved that there be a finding #52.2 and that it read: A facility does not exist in Augusta County that could combine the Augusta County Fair and the Market Animal Show.

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Ms. Hamilton stated that this may improve the quality of the fair.

The motion carried unanimously.

Ms. Hamilton moved that a recommendation for that finding would be: Augusta County provide a facility to host both the Market Animal Show and the Augusta County Fair. Three committee members were in favor of the recommendation and five were in opposition.

Chairman Curry stated that this would not be added to the recommendation list.

Chairman Curry stated that the committee will be meeting Thursday, November 10th.

Chairman Curry stated that the committee will work next week to finish the report and go back to the tabled items. He stated that they will discuss when the public meeting will be at the next meeting. He asked staff to create a listing of all of the items that were tabled.

There being no further business, the meeting was adjourned.

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Chairman